

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Donna Lunday,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Dirk Kempthorne, Secretary, United States)	
Department of Interior, or his Predecessor-)	
in-office; United States Department of)	
Interior,)	
)	
Defendant.)	Case No. 4:07-cv-084

On February 2, 2011, the parties filed a Stipulated Motion to Amend Join Scheduling Conference and Discovery Plan. The court **GRANTS** the parties' motion (Docket No. 41) and **ORDERS** that the scheduling order be amended as follows:

1. The parties shall have until March 31, 2011, to complete fact discovery; no party shall be required to respond to any discovery request which falls due after that date.
2. The parties shall have until April 15, 2011, to file other dispositive motions (summary judgment as to all or part of the case).
3. Plaintiff shall have until August 15, 2011, to provide the names of expert witnesses and complete reports under Fed. R. Civ. P. 26(a)(2). Defendant shall have until September 15, 2011, to provide the names of expert witnesses and complete reports under Fed. R. Civ. P. 26(a)(2). (Treating physicians need not prepare reports, only qualifications, unless they will express opinions not reflected in the medical records.) (Reports are to be served on other parties, but not filed with the Court.) The parties

shall have until October 14, 2011, to conduct expert discovery.

The court further **ORDERS** that the bench trial set for September 6, 2011, shall be rescheduled for November 14, 2011, at 9:00 a.m. in Minot before Judge Hovland (4 days, #3 on calendar). The final pretrial conference shall be rescheduled for October 31, 2011, at 10:00 a.m. via telephone. The court shall initiate the conference call.

IT IS SO ORDERED.

Dated this 2nd day of February, 2011.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge